

**AMENDMENTS TO THE DRAWINGS:**

In item 1 on page 2 of the Office Action the Examiner objected to Figures 1 and 2. In order to overcome these objections, replacement figures for Figures 1 and 2 are submitted herewith with legends added designating the drawings contained therein as "PRIOR ART".

Approval of these changes to the Drawings is respectfully requested.

**REMARKS**

In the Office Action the Examiner noted that claims 1-12 are pending in the application, and the Examiner rejected all claims. By this Amendment, claims 1 and 10 have been amended. No new matter has been presented. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

**Objections To the Drawings**

In item 1 on page 2 of the Office Action the Examiner objected to Figures 1 and 2, stating that the figures should be designated by a legend such as "PRIOR ART" because only that which is old is illustrated.

By this Amendment, the "PRIOR ART" legends have been added to Figures 1 and 2, as required by the Examiner. Therefore, the Applicants respectfully request the withdrawal of the Examiner's objection to the drawings.

**Claim Rejections Under 35 USC §102**

In item 7 on page 3 of the Office Action the Examiner rejected claims 1-10 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,509,864, issued to Mende et al. (hereinafter referred to as "Mende"). The Applicants respectfully traverse the Examiner's rejections of these claims.

Claim 1 of the present application, as amended, recites "a gate unit performing a gate operation for a reception signal by using the control pulse signal, wherein the reception signal is obtained from a detector." The Applicants respectfully submit that Mende does not disclose at least this feature of claim 1.

The Examiner stated that Mende discloses emitting measurement pulses controlled by a pulse generator, and a receiver part is switched, after a specific adjustable delay before the emission of a subsequent measurement pulse, to a ready-to-receive state for the reception of an echo pulse during a time gate. However, in the apparatus disclosed in Mende, the output of the oscillator 6 and the pulse shaper 11, which is emitted from the reception switch 12, is directly received by one input of the mixer stage 13, and are thus not connected to the mixer output. Meanwhile, the signal from the reception antenna 14 is directly received by the second input of the mixer stage 13. Therefore, the reception switch 12 apparently turns on/off the carrier wave

(RF) signal but does not turn on/off any detected signal, i.e., the signal received by the reception antenna 14, and thus does not disclose or suggest using a control pulse signal to perform a gate operation for a reception signal obtained from a detector. This is in direct contrast to claim 1 of the present application, which recites “a gate unit performing a gate operation for a reception signal by using the control pulse signal, wherein the reception signal is obtained from a detector.”

Therefore, Mende does not disclose at least the feature of “a gate unit performing a gate operation for a reception signal by using the control pulse signal, wherein the reception signal is obtained from a detector.” Accordingly, Mende does not disclose every element of the Applicants' claim 1. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Mende does not disclose the features recited in independent claim 1, as stated above, it is respectfully submitted that claim 1 patentably distinguishes over Mende, and withdrawal of the §102(a) rejection is earnestly and respectfully solicited.

Claims 2 and 3 depend from claim 1 and include all of the features of that claim plus additional features which are not taught or suggested by Mende. Therefore, it is respectfully submitted that claims 2 and 3 also patentably distinguish over Mende.

Claim 4 of the present application recites “a gate unit performing a gate operation for a reception signal by using the control pulse signal; and a reflection signal detecting unit detecting a reflection signal from a target which exists in a distance corresponding to a delay time by using an output of said signal delaying unit based on an output of said gate unit.” As discussed in regard to claim 1 of the present application, Mende does not disclose at least these features of claim 4. Therefore, it is respectfully submitted that claim 4 also patentably distinguishes over Mende.

Claims 5 and 6 depend from claim 4 and include all of the features of that claim plus additional features which are not taught or suggested by Mende. Therefore, it is respectfully submitted that claims 5 and 6 also patentably distinguish over Mende.

Claim 7 of the present application recites “a gate unit performing a gate operation for a reception signal by using the control pulse signal....and a reflection signal detecting unit detecting a reflection signal from a target which exists in a distance corresponding to a delay time by using an output of said signal delaying unit based on an output of said gate unit.” As discussed in regard to claim 1 of the present application, Mende does not disclose at least these

features of claim 7. Therefore, it is respectfully submitted that claim 7 also patentably distinguishes over Mende.

Claims 8 and 9 depend from claim 7 and include all of the features of that claim plus additional features which are not taught or suggested by Mende. Therefore, it is respectfully submitted that claims 8 and 9 also patentably distinguish over Mende.

Claim 10 of the present application, as amended, recites "a gate unit performing a gate operation for a reception signal by using the control pulse signal, wherein the reception signal is obtained from a detector." As discussed in regard to claim 1 of the present application, Mende does not disclose at least this feature of claim 10. Therefore, it is respectfully submitted that claim 10 also patentably distinguishes over Mende.

In item 8 on pages 4-5 of the Office Action the Examiner rejected claims 10-12 under 35 U.S.C. §102(a) as being anticipated by Tait et al. (EP '427, hereinafter referred to as "Tait"). The Applicants respectfully traverse the Examiner's rejections of these claims.

Similar to Mende, Tait discloses the output of the oscillator 48 being input directly to the mixer 47. Thus, as in Mende, Tait apparently only discloses the carrier wave signal being the subject of the pulse control, rather than a reception signal. This is in direct contrast to claim 10 of the present application, which recites "a gate unit performing a gate operation for a reception signal by using the control pulse signal, wherein the reception signal is obtained from a detector." Therefore, it is respectfully submitted that claim 10 patentably distinguishes over Tait.

Claims 11 and 12 depend from claim 10 and include all of the features of that claim plus additional features which are not taught or suggested by Tait. Therefore, it is respectfully submitted that claims 11 and 12 also patentably distinguish over Tait.

### Summary

In accordance with the foregoing, claims 1 and 10 have been amended. No new matter has been presented. Thus, claims 1-12 remain pending and under consideration.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 10/809,461

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 05/01/06

By: Thomas L. Jones  
Thomas L. Jones  
Registration No. 53,908

1201 New York Avenue, NW, 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501